

the claim in its entirety and not merely to the last clause as misconstrued by the examiner. The examiner recognized this by complaining that the meandering as contributing to the minimizing the parasitic capacitance was contradictory to the applicants' argument. This whereby clause was always as originally presented intended to apply to the claim as a whole and, in particular to the overlying portion, as is clear from applicants' argument as to this issue.

As previously argued, Hart does not recognize that limiting the overlap as claimed will minimize parasitic capacitance as claimed. This was argued in the prior proposed amendment and should have been recognized for what was intended. Hart's overlap is many orders of magnitude greater. See applicants' spec. page 4, lines 15-26, discussing this. Hart does not recognize the problem with parasitic capacitance or its cause. One of ordinary skill is given no direction or hint by Hart of this problem or the claimed solution. The parasitic capacitance term is a whereby clause that results from the claimed structure, and in particular to the overlapping portion, and thus is not a limitation. The term "solely" is the only added term that achieves the desired result of minimizing the parasitic capacitance, which result was always intended by this claim.

Proposed amended claim 1

1 (Currently amended). An organic field effect transistor (OFET) including a gate, comprising:

- a first electrode layer forming source and drain electrodes each having multiple sides ;
- a semiconducting layer;
- an insulator layer;
- one of the source and drain electrodes in the first electrode layer

surrounding the respective other electrode of the first electrode layer in a two-dimensional manner with the exception of one of said sides of the other electrode ; and

a second electrode layer forming a gate electrode, the semiconducting layer exhibiting a current channel in the presence of an applied voltage and wherein the second electrode layer completely overlies the current channel and overlies a portion of the source or drain electrodes of the first electrode layer, the overlying portion with respect to the source or drain electrodes having a width solely in the range from about 0 to about 20 μ m and having a length in the range of the length of the current channel to thereby minimize parasitic capacitance that otherwise might be present;

whereby a u-shaped and/or meandering current channel , which begins and ends on one of said sides of the electrode of the first electrode layer is formed in the semiconducting layer.

The advisory rejects the prior proposed amendment on the grounds applicants have not shown the criticality of the proposed amendment. This conclusion is perplexing and a result of misconstruing the claim. The criticality of the limitation that the overlying portion with respect to the source or drain electrodes having a width solely in the range from about 0 to about 20 μ m and having a length in the range of the length of the current channel is, from the argument presented and from the specification, and as in the present proposed amended claim to thereby minimize parasitic capacitance that otherwise might be present is self evident and plainly asserts the so called criticality which is not required. The limitation speaks for itself in view of the whereby clause which explains the function of the overlying portion limitation. Applicants' remarks and the specification makes it clear what was intended.

The Action then states that the amendment states that the parasitic capacitance is minimized by the meandering current channel is contradicted by the specification and applicants' remarks. This is incorrect as the whereby clause applies

to the claim as a whole and not merely the last clause as asserted. This clause is misconstrued in the Advisory.

The amended claim as originally intended and as presented herein was not intended to indicate that the meandering channel minimized parasitic capacitance, but rather it is the overlying portion as claimed which is part of the claim as a whole as previously presented. The Advisory recognizes this error and merely asserts the amendment is contradictory to the arguments. Applicants suggest that this construction is error and respectfully request reconsideration of the amended claim as originally intended. The Examiner could have called the undersigned in regard to this so called contradictory matter to clarify what was intended in view of the argument made in view of MPEP 707(j) II quoted below.

Applicants faxed to the Examiner a copy of the MPEP 707(j) II section that explains that the examiner should accept this amendment because it is within the scope of this portion of the MPEP which states:

When an applicant discloses patentable subject matter and it is apparent from the claims and applicant's arguments that the claims are intended to be directed to patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The Examiner's action should be constructive in nature and when possible, should offer a definite suggestion for correction. Further, an examiner's suggestion of allowable subject matter may justify indicating the possible desirability of an interview to accelerate early agreement on allowable claims.

Thus applicants respectfully request that the examiner reconsider and allow the proposed amended claim as no new issues are presented in view of what was intended

all along in the original claim and the prior amended proposed claim. This subject matter is believed allowable. To state that new issues are raised and a further search is required is proscribed piecemeal examination, as the limitation of the overlying portion of the electrodes as amended should have been examined previously and is believed allowable over the references cited of record.

Applicants respectfully request reconsideration and allowance of this application.

VIA FACSIMILE TO THE USPTO

I hereby certify that this paper is being sent by facsimile to Examiner Swapneel Chhaya, Art Unit 2822 USPTO on the date indicated below, at facsimile no. 571 270 2434.


Janice Speidel

May 6, 2008
Date

Respectfully submitted,
Walter Fix et al


by William Squire, Reg. No. 25,378
Attorney for Applicants

Phone: 973-994-1700 Fax: 973-994-1744